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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

PEDRO R. DUARTE,	)	
	)	
Petitioner,	)	2:12-cv-01305-JCM-PAL
	)	
vs.	)	
	)	ORDER
BRIAN WILLIAMS,	)	
	)	
Respondent.	)	

Petitioner Pedro Duarte has filed a document entitled “Judicial Notice/Statement of Additional Claims” which advises the court and the respondents that he has additional claims he wishes to present as part of his petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 (ECF No. 10). This statement was the result of the notice from the court in its order filing and serving the original petition. *See* ECF No. 8 (“A petition for federal habeas corpus should include all claims for relief of which petitioner is aware. If petitioner fails to include such a claim in his petition, he may be forever barred from seeking federal habeas relief upon that claim. *See* 28 U.S.C. §2254(b) (successive petitions).”). Petitioner shall be given an opportunity to amend his petition to more fully incorporate the additional claims he wishes to bring. Petitioner is advised that he must incorporate all of his claims into a single amended petition so that the parties and the court can ensure that a full and fair response and determination of all of his claims can be made.

1           **IT IS THEREFORE ORDERED** that the clerk shall **send to petitioner** a form and  
2 instructions for filing a federal habeas petition under 28 U.S.C. § 2254 along with a copy of his original  
3 petition. Petitioner shall have thirty days from entry of this order to prepare and file an amended petition  
4 which includes in this single document all claims he has for the court's review.

5           **IT IS FURTHER ORDERED** that respondents' deadline for filing a response shall be  
6 extended to **thirty (30)** days after petitioner files his amended petition. As previously ordered by the  
7 court, respondents shall raise all potential affirmative defenses in the initial responsive pleading,  
8 including lack of exhaustion and procedural default. **Successive motions to dismiss will not be**  
9 **entertained.** If an answer is filed, respondents shall comply with the requirements of Rule 5 of the  
10 Rules Governing Proceedings in the United States District Courts under 28 U.S.C. §2254. If an answer  
11 is filed, petitioner shall have **forty-five (45) days** from the date of service of the answer to file a reply.

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13           Dated September 26, 2012.

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16           UNITED STATES DISTRICT JUDGE  
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